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DOCKET NO. MED001.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Yardley et al

Serial No.:

10/057,336

Filed:

1/23/02

For:

INTERNET TRAINING COURSE  
SYSTEM AND METHODS

PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED  
ON FAILURE TO RECEIVE NOTICE TO FILE MISSING PARTS

BOX DAC

Assistant Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

It is hereby respectfully requested that the Holding of Abandonment of the above-identified application be withdrawn for the reasons set forth herein.

Pertinent facts in support of this Petition include:

1. On January 23, 2002 the above-identified patent application was filed converting the previously filed provisional application (Serial Number 60/265,962 entitled INTERNET TRAINING COURSE SYSTEM AND METHODS filed on February 2, 2001) to a regular application.

2. Since the application was converted from a provisional to a regular application, I believed the application was complete as filed.

3. The USPTO subsequently issued a Notice to File Missing Parts requesting that applicant provide an Oath and Declaration of the inventors with a two-month response

period ending April 28, 2002, which I attest was not received by myself or this office and that a search of the file jacket and docket records indicated that the Notice was not received. A copy of the docket relating to this case is attached.

4. I learned of the Notice to File Missing Parts on May 8, 2002 upon inquiry with the USPTO regarding the status of the Filing Receipt. This date was subsequent to the time period allowed for responding to the Notice to File Missing Parts.

Enclosed is an executed Combined Declaration and Power of Attorney in response to the Notice to File Missing Parts that was resent to my office on May 8, 2002. A fee of \$195 is included in compliance with 37 CFR 1.27 and 1.17(h). The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit overpayment to Deposit Account No. 19-3542.

In light of the facts set forth above, we respectfully request that the Holding of Abandonment of the above-identified application be withdrawn and that the application be allowed to proceed.

If you have any questions, please do not hesitate to contact me at the contact information provided below.

Dated this 7<sup>th</sup> day of June 2002.

Respectfully submitted,



Paul S. Evans  
Attorney for Applicant  
Registration No. 36,130

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Bountiful, Utah 84010  
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Fax: (801) 298-1759



Case Tracking System  
Case History Report

Date: June 7, 2002

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**US Patent Case**

Case Number: **MED001.1**  
Client: MedInservice.com, Inc.

Status: Pending

Appl. Serial No:

Filing Date: 1/23/2002

Title: Internet Training Course System and Methods

Attorney Id: PSE

Primary Attorney Id: None

Administrator Id: None

<b>Item</b>	<b>Due</b>	<b>Completed</b>
Application Filing		1/23/2002
Filing Postcard	3/23/2002	Received
Assignment Postcard	3/23/2002	Received
Filing Receipt	3/25/2002	
Assignment Filing	4/23/2002	1/23/2002
Patent Application Publication	7/23/2003	

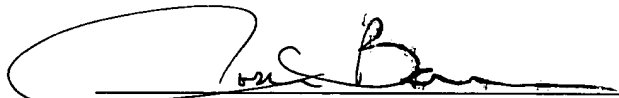
Express Mail No. EV068780106US

PATENT  
Docket No: MED001.1



CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the enclosed Petition to Withdraw Holding of Abandonment, as well as the response to Notice to File Missing Parts of Nonprovisional Application and a Combined Declaration and Power of Attorney, and Check No. 8034 for \$195.00 for INTERNET TRAINING COURSE SYSTEM AND METHODS (Serial No. 10/057,336), is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to BOX DAC, Assistant Commissioner of Patents, Washington, D.C. 20231.



Jodi Barrus

EV068780106US  
EXPRESS MAIL LABEL NUMBER

6/7/02  
DATE OF DEPOSIT



JUN 07 2002

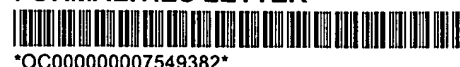
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/057,336	01/23/2002	James V. Yardley	MED001.1

CONFIRMATION NO. 1519

## FORMALITIES LETTER



\*OC000000007549382\*

Paul S. Evans  
MEDINSERVICE.COM, INC.  
585 West 500 South  
Bountiful, UT 84010

Date Mailed: 02/28/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

*M. J. Jans*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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